

SENATE BILL 1689  
By Cohen

AN ACT to amend Tennessee Code Annotated, Title 43, Chapter 11 and Title 68, relative to use of toxic waste materials as fertilizer.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 43, Chapter 11, Part 1, is amended by adding the following as an appropriately designated new section:

43-11-125.

(a) It is an offense to knowingly use toxic waste materials or substances as fertilizer or in any other land preparation application if such materials or substances were ever classified as toxic in any other circumstance.

(b) This prohibition shall also apply to the use of any substance containing heavy metals as fertilizer or in any other land preparation application.

(c) The commissioner of agriculture is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

(d) A violation of this section or rules and regulations promulgated hereunder is a Class E felony.

SECTION 2. This act shall take effect July 1, 2005, the public welfare requiring it.